

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.
2245.004A

In Re Application Of: **Berdini et al.**

AUG 07 2006

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|-----------------|----------|--------------|----------------|------------------|
| 10/564,166 | January 3, 2006 | Unknown | 23405 | Unknown | 7842 |

BENZIMIDAZOLE DERIVATIVES AND THEIR USE AS PROTEIN KINASES INHIBITORS

COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of May 3, 2006 in the above-identified application.

The requested extension is as follows (check time period desired):

One month Two months Three months Four months Five months

from: July 3, 2006 *Date* until: August 3, 2006 *Date*

Applicant claims small entity status. See 37 CFR 1.27.

The fee for the amendment and extension of time has been calculated as shown below:

CLAIMS AS AMENDED

| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
|--|-------------------------------------|-----------------------------|--------------------------------|------------|-------------------|
| TOTAL CLAIMS | 42 - | 20 = | 22 | x \$25.00 | \$550.00 |
| INDEP. CLAIMS | 4 - | 3 = | 1 | x \$100.00 | \$100.00 |
| FEE FOR AMENDMENT | | | | | \$650.00 |
| FEE FOR EXTENSION OF TIME | | | | | \$60.00 |
| TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME | | | | | \$710.00 |

01/10/2006 GEREYI 00000001 10364155

| | | | |
|----|---------|--------|----|
| 0 | FC:2617 | 65.00 | OP |
| 02 | FC:2615 | 550.00 | OP |
| 03 | FC:2614 | 100.00 | OP |

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.
2245.004A

The fee for the amendment and extension of time is to be paid as follows:

- A check in the amount of \$710.00 for the amendment and extension of time is enclosed.
- Please charge Deposit Account No. _____ in the amount of _____
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **08-1935**
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **08-1935**
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Edward Timmer
Signature

Dated: August 3, 2006

Edward Timmer, Esq.
Reg. No. 46,248
Heslin Rothenberg Farley & Mesiti, P.C.
5 Columbia Circle
Albany, New York 12203
Phone: (518) 452-5600
Fax: (518) 452-5579

cc:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on August 3, 2006.

(Date)

Signature of Person Mailing Correspondence

Edward Timmer

Typed or Printed Name of Person Mailing Correspondence